

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT KRING,

Plaintiff,

v.

Case No. 23-cv-10858
Hon. Matthew F. Leitman

KELLY SERVICES GLOBAL, LLC,

Defendant.

**ORDER (1) GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION TO COMPEL INDIVIDUAL ARBITRATION
AND DISMISS THE COMPLAINT (ECF No. 12); (2) VACATING ORDER
TO SHOW CAUSE WHY MOTION TO COMPEL ARBITRATION AND
DISMISS COMPLAINT SHOULD NOT BE GRANTED (ECF No. 13); AND
(3) STAYING ACTION**

In this putative collective civil action, Plaintiff Scott Kring seeks to recover unpaid overtime wages that he is allegedly owed from his former employer, Defendant Kelly Services Global, LLC (“Kelly Services”), as well as other damages under the Federal Labor Standards Act (“FLSA”), the Pennsylvania Minimum Wage Act (“PMWA”), and the Pennsylvania Wage Payment and Collection Law (“WPCL”). On May 18, 2023, Kelly Services filed a Motion to Compel Individual Arbitration and Dismiss the Complaint. (*See* Mot., ECF No. 12.) In that motion, Kelly Services argued that the Court should dismiss Kring’s complaint because the parties entered into a valid and enforceable arbitration agreement. (*See id.*,

PageID.50.) In a Response to the motion, Kring agreed that his claims were subject to arbitration, but urged the Court to stay the action, rather than dismiss it, until arbitration is completed. (*See* Resp., ECF No. 14, PageID.142-143.)

Kelly Services' motion (ECF No. 12) is **GRANTED IN PART** and **DENIED IN PART**. The motion is **GRANTED** to the extent that it asks the Court to compel arbitration, and **DENIED** to the extent that it asks the Court to dismiss the case. After carefully reviewing the parties' briefings, the Court concludes that it is appropriate to compel arbitration and to **STAY** this action pending the completion of the process laid out in the parties' arbitration agreement. *See Arabian Motors Grp. W.L.L. v. Ford Motor Co.*, 19 F.4th 938, 941-42 (6th Cir. 2021). The Court's previous Order to Show Cause Why Motion to Compel Arbitration and Dismiss Complaint Should Not Be Granted (ECF No. 13) is **VACATED**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: July 12, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 12, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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